IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

MARCY LEE GROVES,	)	4:10CV3080
	)	
Plaintiff,	)	
	)	
v.	)	**MEMORANDUM**
	)	**AND ORDER**
FBL FINANCIAL GROUP,	)	
	)	
Defendant.	)	

This matter is before the court on its own motion. The clerk of the court issued a summons to Defendant FBL Financial Group on October 7, 2010. (Filing No. 9.) That summons was returned executed on October 22, 2010. (Filing No. 10.) The Federal Rules of Civil Procedure require that a defendant serve an answer to a complaint "within 21 days after being served with the summons and complaint." Fed. R. Civ. P. 12(a). Thus, FBL Financial Group had until November 12, 2010, to file an answer or any other responsive pleading, but has not done so. (*See* Docket Sheet.)

The court notes that the plaintiff, Marcy Lee Groves, listed FBL Financial Group's principal office address on the summons and USM-285 forms, instead of FBL Financial Group's registered agent's address. *See* Neb. Rev. Stat. § 25-509.01 ("A corporation may be served . . . by leaving the process at the corporations's registered office with a person employed therein, or by certified mail service to the corporation's registered office."). Thus, the court doubts Marcy Lee Groves properly perfected service on FBL Financial Group. Notwithstanding this deficiency, and to expedite the timely resolution of this matter,

IT IS THEREFORE ORDERED that:

1.   FBL Financial Group shall have until January 3, 2011, to file an answer or other responsive pleading. In the event FBL Financial Group does not do so,

Marcy Lee Groves will be given the opportunity to seek a default judgment.

2.   The clerk of the court is directed to provide a copy of this Memorandum and Order to FBL Financial Group at the address shown on the executed summons form.

3.   The clerk of the court is directed to set a pro se case management deadline using the following text: January 3, 2011: check for response from Defendant.

Dated December 14, 2010.

                    BY THE COURT

                    s/ Warren K. Urbom
                    United States Senior District Judge